

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

WE, LLC, d/b/a Wild Encantos

Plaintiff

Vs.

CARIBBEAN RETAIL VENTURES, INC.,
SALVADOR ABADI, JANE DOE, and the
conjugal partnership they form, JOEL BEDER,
SUSAN ROE, and the conjugal partnership they
form; INSURANCE COMPANIES A, B & C;
JOHN DOE, RICHARD DOE AND SAM DOE.

Defendants

Case Number: 24-1185 (CVR)

**EX PARTE APPLICATION FOR
TEMPORARY RESTRAINING ORDER
AND ORDER OF SEIZURE AND
IMPOUNDMENT**

Copyright Infringement,

**MOTION FOR AN ORDER THAT CARIBBEAN RETAIL VENTURES, INC. NOT
DESTROY PIRATED GOODS OR ACCOUNTING RECORDS**

TO THE HONORABLE COURT:

COMES NOW Plaintiff, WE, LLC and very respectfully states and prays:

1. Yesterday, Juan Carlos Reyes, a process server hired by this office, served Caribbean Retail Ventures, Inc. with process. *See Executed Summons*
2. The receptionist who accepted the summons, this Court's order requiring Defendants to answer the Complaint by May 5, 2024 at noon and setting the preliminary injunction hearing for May 8, 2024; as well as the Motion for a Temporary Restraining Order, informed Mr. Reyes that co-Defendants Salvador Abadi and Joel Beder were in China and would not be in Puerto Rico until May 10, 2024. *See Unsworn Statement Under Penalty of Perjury of Mr. Reyes.* Ms. Huertas' email address is crvhrassociate@gmail.com.

3. Caribbean Retail Ventures, Inc. imports the pirated coquis and parrots from China, specifically from the Fulangia factory in Tianchang City, Anhui province. *See* copy of hangtag on coqui.

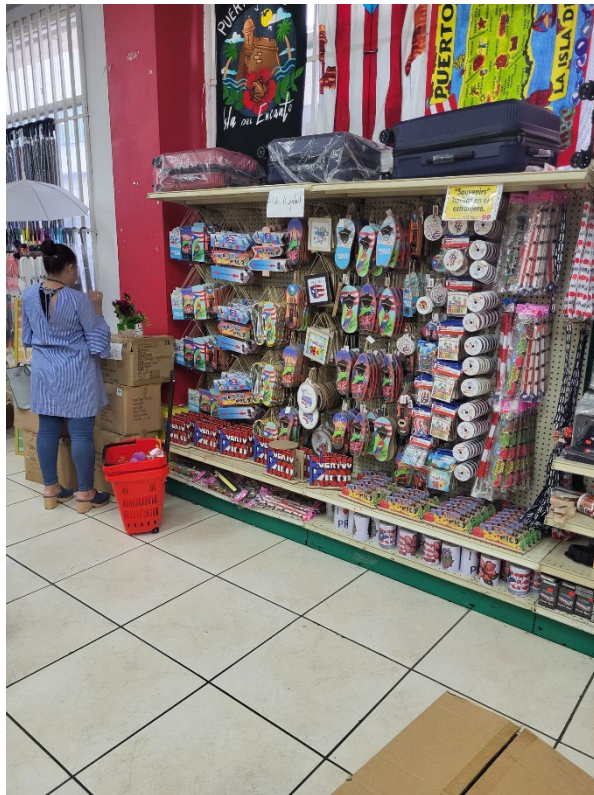
4. Today, Angel Rodriguez Miranda, the principal of WE, LLC, verified a Guaynabo stores that is selling the pirated goods and discovered that the goods had been moved from the front of the store to the back:



5. The picture on the left is from before this case was filed.
6. The picture on the right is from today.
7. Upon investigation, some of the plus toys had been moved to the back of the store.



8. In the Stop 18 store, the infringing plush toys had also been removed from the front of the store today:



9. Under the circumstances, Plaintiff renews its request that this Court order Defendants not to destroy either its merchandise or the accounting records as to the sale of these products. Although Plaintiff recognizes that service upon the corporate entity makes that entity aware of the allegations in the Complaint and triggers its obligation to preserve relevant evidence, Defendant's immediate response to service of removing the products from the entry to the store is evidence of willfulness.
10. Plaintiff incorporates by reference the arguments set forth in the Motion for a Temporary Restraining Order in support of this request for an order to prevent the destruction of the infringing merchandise and the accounting information as set forth in the prayer for relief.

WHEREFORE, Plaintiff WE, LLC very respectfully asks this Honorable Court to enjoin Caribbean Retail Ventures, Inc. from destroying, altering, disposing of, or in any manner rendering unavailable for seizure and impoundment any merchandise not authorized by the Plaintiff that incorporates any of the copyrights and from destroying, altering, or in any manner rendering unavailable for discovery or seizure any notes, records, correspondence, invoices, receipts, documents, and other materials that refer or relate to:

- a. merchandise not authorized by the Plaintiff that incorporates any of the distinctive features of the Plaintiff's copyrights;
- b. Defendants' manufacture, importation, distribution, procurement, or disposition of any such merchandise; and
- c. Any individual or business entities with whom the Defendants have dealt in the manufacture, distribution, procurement, or disposition of such merchandise.

And from causing, aiding, or abetting any other person from doing any act proscribed under a. through c. above; and any other order that in law or equity is appropriate.

RESPECTFULLY SUBMITTED, in San Juan, Puerto Rico on April 25, 2024.

S/Jane Becker Whitaker/

JANE BECKER WHITAKER

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I hereby certify that I have filed this motion with the Court's ecf system and sent a copy to Caribbean Retail Ventures, Inc. through the email address of Yessenia Huertas Garcia at cvrhrassociate@gmail.com and to Caribbean Retail Ventures, Inc., Salvador Abadi, and Joel Beder at 14 Calle Gautier Benitez in Caguas, PR 99725.